

REMARKS

In the Office Action, claims 1, 2, 4-9, 11, and 13-18 were rejected. By this response, claims 1, 4, 7, 9, 11, 14, and 18 have been amended and new claims 21-25 have been added. The amendments and the new claims are fully supported by the Specification. Upon entry of these amendments, claims 1, 2, 4-9, 11, 13-18, and 21-25 will be pending in the present application. Reconsideration of the rejection and allowance of the pending claims are respectfully requested.

Rejection Under 35 U.S.C. § 112

In the Official Action, claim 17 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention.. Claim 17 has been amended by this response in light of the Examiner's comments. Withdrawal of the rejection is respectfully requested.

Rejection Under 35 U.S.C. § 102(b)

In the Office Action, claims 1, 2, 4, 5, 7-9, 11, 13, 15, 17, and 18 were rejected under 35 U.S.C. §102(b) as being anticipated by Petty, U.S. Patent No.5,671,889. By this response, claims 1, 4, 7, 9, 11, and 18 have been amended. Claims 1, 9, and 18 are independent claims. Claims 2, 4, 5, 7, and 8 depend from independent claim 1 and claims 11, 13, 15, and 17 depend from independent claim 9.

Claims 1, 2, 4, 5, 7-9, 11, 13, 15, 17, and 18 are not anticipated because the Petty reference does not show all of the recited features of the claims. Anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990).

For example, some of the recited features of amended independent claim 1 that are not disclosed by the Petty reference are: "a wand assembly coupled to the first pump and to the second pump, wherein the wand assembly is adapted to produce a spray of first liquid in a first direction relative to the wand assembly and a spray of second liquid that is directed towards the spray of first liquid in a second direction relative to the wand assembly, the first direction and the second direction being different, such that the spray of second liquid is entrained in the spray of first fluid and thereby re-directed to travel in the first direction relative to the wand assembly." The Petty reference disclose a spray gun 13 having spray nozzles 19 and 250 for applying a two-part waterproof coating to coat a portion of a basement wall.. See Petty col. 2, line 65-col. 3, line 2 and col. 3, lines 9-13 and 38-42. Spray nozzle 19 is provided for spraying an aqueous solution of calcium chloride onto a wall 16 and spray nozzle 250 is provided to for spraying an asphalt emulsion fluid onto the wall 16. See Petty col. 8, lines 11-16. As a result, the spray nozzles 19 and 250 are adapted to each provide a fan spray of 40° so that each part of the two-part coating is directed onto a spot of the wall at a distance of 8-10 inches from the nozzles 19 and 250. See Petty col. 8, lines 16-19. The spray nozzles are not adapted so that one of the sprays produced by either nozzle 19 or 250 is entrained in the other spray. More specifically, neither nozzle 19 nor nozzle 250 is adapted to produce a spray to re-direct the spray from the other nozzle to flow in the direction of the spray from the other spray nozzle. Thus, the Petty reference does not disclose "a wand assembly...adapted to produce a spray of first liquid in a first direction relative to the wand assembly and a spray of second liquid that is directed towards the spray of first liquid in a second direction relative to the wand assembly...such that the spray of second liquid is entrained in the spray of first fluid and thereby re-directed to travel in the first direction relative to the wand assembly," as recited in amended independent claim 1. Thus, the Petty reference does not disclose all of the recited features of claim 1.

Therefore, amended independent claim 1 is not anticipated by the Petty reference. Claims 2, 4, 5, 7, and 8 depend from independent claim 1. Thus, claims 2, 4, 5, 7, and 8 also are not anticipated by the Petty reference.

In addition, the Petty reference does not disclose all of the recited features of amended independent claim 9. One of the recited features of amended independent claim 9 that is not disclosed by the Petty reference is: "a second pump operable to be powered by DC power to pump liquid from the storage tank." The Petty reference discloses a barrel 44 for containing the aqueous solution of calcium chloride and a barrel 51 for housing the asphalt emulsion fluid. *See* Petty, col. 5, lines 25-27 and 44-48. However, the Petty reference discloses the use of hydraulically-driven, not electrically driven, liquid pressurizing pumps 32 and 33 to pump the aqueous solution of calcium chloride and the asphalt emulsion fluid from barrels 41 and 44, respectively. *See* Petty, col. 4, lines 35-37. Thus, the Petty reference does not disclose all of the recited features of amended independent claim 9.

Therefore, amended independent claim 9 is not anticipated by the Petty reference. Claims 11, 13, 15, and 17 depend from independent claim 9. Thus, claims 11, 13, 15, and 17 also are not anticipated by the Petty reference.

Finally, the Petty reference does not disclose all of the recited features of amended independent claim 19. Some of the recited features of amended independent claim 18 that are not disclosed by the Petty reference are: "securing the second pressure washing wand to the first pressure washing wand to enable the second pressure washing wand to direct the spray of second liquid in a generally transverse direction relative to the high-pressure spray of the first liquid." First, the Petty reference does not disclose two pressure wands, only a single spray gun 13, much less securing a second pressure wand to a first pressure wand. The Petty reference discloses that the spray nozzles 19 and 250 are oriented at an angle of θ relative to the axis of the spray gun. *See* Petty, Fig. 6. The Petty reference does not disclose any values for the angle θ . However, it does not appear from a visual examination of Figure 6 of the Petty reference that either spray is directed in a generally transverse direction relative to the other spray. Therefore, the Petty reference does not disclose: "securing the second pressure washing wand to the first pressure washing wand to enable the second pressure washing wand to direct the spray of

second liquid in a generally transverse direction relative to the high-pressure spray of the first liquid," as recited in amended independent claim 18. Thus, claim 18 is not anticipated by the Petty reference.

For all of these reasons, claims 1, 2, 4, 5, 7-9, 11, 13, 15, 17, and 18 are not anticipated by the Petty reference. Withdrawal of the rejection and allowance of the claims are respectfully requested.

First Rejection Under 35 U.S.C. § 103

Claim 16 was rejected under 35 U.S.C. §103(a) as being unpatentable over Petty. Claim 16 depends from amended independent claim 9. For the reasons discussed above, claim 9 is patentable over the Petty reference. Therefore, claim 16 also is patentable over the Petty reference. Withdrawal of the rejection and allowance of the claim are respectfully requested.

Second Rejection Under 35 U.S.C. § 103

Claims 6 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Petty in view of Hewitt, U.S. Patent No. 3,997,114. Claim 6 depends from amended independent claim 1 and claim 14 depends from amended independent claim 9. For the reasons discussed above, claims 1 and 9 are patentable over the Petty reference. The Hewitt reference does not obviate the deficiencies of the Petty reference in failing to disclose all of the recited features of claim 1 and 9. Therefore, claims 1 and 9, as well as claim 6 and 14 are patentable over the cited references. Withdrawal of the rejection and allowance of the claim are respectfully requested.

New Claims

New claims 21-25 have been added by this amendment. Claims 21-25 are fully supported by the specification. Furthermore, claims 21-25 depend from amended independent claim 1, 9, and 18, respectively. Therefore, new claims 21-25 also are believed patentable over the cited references.

Conclusion

In view of the remarks and amendments set forth above, Applicant respectfully requests allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

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Respectfully submitted,



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